

CRB  
551 **COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983**2 Name Gomez Timoteo

3 (Last) (First) (Initial)

4 Prisoner Number F01170 SAN QUENTIN STATE PRISON5 Institutional Address SAN QUENTIN 94974FEB 27 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA6 **UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CRB

7 8 (Enter the full name of plaintiff in this action.)

9 vs.

10 **CV 08-1176**11 Case No. \_\_\_\_\_  
(To be provided by the clerk of court)12 **COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C. §§ 1983**13 

(PR)

14 (Enter the full name of the defendant(s) in this action))

15 \_\_\_\_\_)

16 \_\_\_\_\_)

17 \_\_\_\_\_)

18 **[All questions on this complaint form must be answered in order for your action to proceed.]**19 I. **Exhaustion of Administrative Remedies**20 [Note: You must exhaust your administrative remedies before your claim can go  
21 forward. The court will dismiss any unexhausted claims.]22 A. Place of present confinement San Quentin

23 B. Is there a grievance procedure in this institution?

24 YES  NO ( )25 C. Did you present the facts in your complaint for review through the grievance  
26 procedure?27 YES  NO ( )

28 D. If your answer is YES, list the appeal number and the date and result of the

008-1176 CRB

COMPLAINT

1 appeal at each level of review. If you did not pursue a certain level of appeal,  
2 explain why.

3 1. Informal appeal my appeal was never answered  
4 By Captain Donahue and the time limitations  
5 are way over due. 2. First  
6 formal level \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_

9 3. Second formal level \_\_\_\_\_  
10 \_\_\_\_\_  
11 4. Third  
12 formal level \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

15 E. Is the last level to which you appealed the highest level of appeal available to  
16 you?

17 YES  NO

18 F. If you did not present your claim for review through the grievance procedure,  
19 explain why. \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
24 if any.

25 Timoteo Gomez SANQUINTIN STATE PRISON SANQUINTIN CA 914974  
26 \_\_\_\_\_  
27 \_\_\_\_\_

28 B. Write the full name of each defendant, his or her official position, and his or her

1 place of employment.

2 CAPTAIN DONAHUE, WARDEN AYERS: WE AS PAISAS WANT A  
3 Rule made (mandatory) not to be placed in the same cells as those  
4 gang members. (Please overlook the statement after the two employees  
5 names)

6 III.

7 Statement of Claim

8 State here as briefly as possible the facts of your case. Be sure to describe how each  
9 defendant is involved and to include dates, when possible. Do not give any legal arguments or  
10 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a  
11 separate numbered paragraph.

12 BEFORE I BEGIN MY STATEMENT, I LIKE TO BRING TO YOUR ATTENTION THE DEFIN-  
13 ITION OF PAISAS WHICH MEANS LATINAS FROM DIFFERENT LATINOAMERICA COUNTRIES  
14 IN WHICH WE ARE NOT GANG MEMBERS MY PURPOSE FOR MAKING THIS COMPLAINT  
15 IS HERE WHERE WE ARE IN BANDS SECTIONS AND QUENTIN WE AS PAISAS ARE ALWAYS  
16 PUT ON LOCKDOWN AND OUR PRIVILEGES ARE TAKEN FROM US FOR THE ACTIONS  
17 OF GANG MEMBERS WE CAN'T GO TO CANTEEN, YARD TIME NOR LAW LIBRARY  
18 THESE OFFICERS PURPOSELLY PUT US WITH THESE GANG MEMBERS BUT WE DON'T  
19 WANT TO BE IN THE SAME CELLS WITH THEM I HAVE WRITTEN A BIG COMPLAINT TO  
20 THE FACILITY CAPTAIN (CAPTAIN DONAHUE) AND THE WARDEN (AYERS) WHICH THEY  
21 BOTH REFUSE TO ANSWER WE AS PAISAS SHOULDN'T BE CONSTANTLY PUNISHED  
22 FOR WHAT GANG MEMBERS DO WE WANT TO BE TREATED LIKE NORMAL PRISONERS  
23 NOT TREATED AS IF WE'RE GANG MEMBERS CAPTAIN DONAHUE & WARDEN AYERS  
24 BOTH REFUSE TO DO ANYTHING ABOUT MY COMPLAINT (1002)

25 IV. Relief

26 Your complaint cannot go forward unless you request specific relief. State briefly exactly  
27 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

28 WE AS (PAISAS) WANT TO IN THE CELLS <sup>TOGETHER</sup> AND NOT BE IN THE CELLS

1 with gang members because it affects our (US PAISAS) pro-  
2 gram and our privileges are taken from us for their actions, we  
3 as PAISAS would like the court to make a mandatory rule not to put  
4 PAISAS in the same cells with gang members

5

6

7 I declare under penalty of perjury that the foregoing is true and correct.

8

9 Signed this Timor James day of 2/20/ 2008  
10

11 James Comey

12 (Plaintiff's signature)

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